

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Michalicek (6,028,689).

Michalicek discloses a precisely actuating member comprising a predetermined plate-shaped support portion, a hinge portion of bottleneck structure extending vertically upward, which is integrated with said support portion, and runs from one end to the other end of said support portion, a rotating portion, which is integrated with said support portion and said hinge portion, is connected by said hinge portion to be disposed on said support portion, and reciprocates and rotates precisely

right and left on the axis of said hinge portion, wherein a mirror is attached to said rotating portion.

3. Claims 1-7 and 20-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Choi (US 6,781,731 B2).

Choi discloses a precisely actuating member comprising a predetermined plate-shaped support portion (Fig. 3, 100), a hinge portion of bottleneck structure extending vertically upward, which is integrated with said support portion, and runs from one end to the other end of said support portion (120), a rotating portion (130), which is integrated with said support portion and said hinge portion, is connected by said hinge portion to be disposed on said support portion, and reciprocates and rotates precisely right and left on the axis of said hinge portion, wherein a mirror is attached to said rotating portion, wherein the actuation member is used in an image tilting device comprising a case (inherent), a precisely actuating means (105a, 105b, 105c, 105d), a driving means (column 4, lines 21-25), a light path conversion means (mirror 130), wherein the support portion is plural (see 120), wherein the support portion, hinge portion and rotating portion are made from a material having an elastic restoring force (inherent), wherein the image tilting device further comprising a frame of a predetermined height

which comprises a protrusion portion or groove (see Fig. 5), wherein the image tilting device is used in a projection system (see Fig. 6) comprising a light source (150), a color processing means (160), a screen (170), and a projection lens (165).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 8-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Choi in view of Burch (5,239,361).

Choi discloses the claimed invention as set forth above except for an adjusting screw for adjusting the initial angle of the support portion and the rotation portion, further comprises a pre-pressure spring or a piezoelectric driving element. Burch discloses an adjusting screw for adjusting the initial angle of the support portion and the rotation portion, further comprises a pre-pressure spring or a piezoelectric driving element (see Figs. 6 and 7). It would have been obvious to one of ordinary skill in the art to use an adjusting screw for adjusting the

initial angle of the support portion and the rotation portion, further comprises a pre-pressure spring or a piezoelectric driving element since these methods are readily available in the art and that choosing one from others is within the level of ordinary skill, as being motivated that easy to obtain parts.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EUNCHA P. CHERRY whose telephone number is 571-272-2310. The examiner can normally be reached on M-F 6:30-4:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on 571-272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/EUNCHA P. CHERRY/
Primary Examiner
Art Unit 2872

6/15/10